



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

June 27, 2023

Re: FOIA Request NLRB-2023-001457

Dear Amir Khafagy:

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on May 23, 2023, in which you seek “[a]ny data showing the number of U visa requests the National Labor Relations Board has received from 2018 to 2023, and any data showing the number of U visa requests the National Labor Relations Board has signed the five-page certification form for and how many requests were denied. In addition, if the National Labor Relations Board has any internal policies regarding the U visa program that differ from federal policy, I request a copy of those policies.” You assumed financial responsibility for the processing of your request in the amount of \$37.00.

We acknowledged your request on May 23, 2023.

A search inquiry was made to the NLRB’s Division of Operations for the specified data and policies. Staff in that office conducted searches and responded with the below information. As explained below, your request is granted in part and denied in part.

With regard to the portion of your request seeking data showing the number of U visa requests the National Labor Relations Board has received from 2018 to 2023, the Agency received 32 requests during this time period.

As for the portion of your request seeking the number of U visa requests the National Labor Relations Board has signed the five-page certification form for and how many requests were denied, the Agency approved twenty-one requests approved, denied three requests, and eight request remain pending.

Lastly, as for the portion of your request seeking copies of National Labor Relations Board any internal policies regarding the U visa program to the extent they differ from federal policy, the search for this portion of your request yielded no responsive records. The Agency’s Division of Operation confirmed that the Agency does not have any responsive policies. As such, this portion of your request is denied.

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For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request.

You may contact Michael A. Maddox, the FOIA Attorney-Advisor who processed your request, at (202) 273-0013 or by email at Michael.Maddox@nrlb.gov, as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami, FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer